

BRAC IMPLEMENTATION COMMITTEE MEETING SUMMARY – September 21, 2010

- **John Carman called the BRAC Implementation Committee to order at 7:35 p.m.**
- **Phil Alperson, the County's BRAC Coordinator, provided the following updates:**
 - **THE BRAC MOBILITY PROJECTS MATRIX is posted on the BRAC web site.** It has been updated through August 18 and reflects the multi-modal approach the County, State and other stakeholders are taking to address the transportation impacts of BRAC in Bethesda – transit improvements, pedestrian and bicycle enhancements, intersection upgrades, transportation demand management, etc.
http://www.montgomerycountymd.gov/content/exec/brac/pdf/transpo_project_matrix-081810.pdf
 - **STATUS OF POTENTIAL FEDERAL FUNDING for BRAC-Related Transportation Projects:**
 - **BACKGROUND:** Last December Congress appropriated \$300 million in the Fiscal Year 2010 Defense Appropriations Bill for transportation projects around military hospitals to mitigate gridlock that will be the result of significant BRAC-mandated growth by September 2011. Unfortunately, these funds were not able to be obligated due to the lack of proper authorization.
 - **UPDATE:** The House and Senate Appropriations Committees have initiated the Fiscal Year 2011 Defense Appropriations process, and the House Defense Appropriations Subcommittee has included Congressman Van Hollen's amendment to ensure the obligation of appropriated funds by passing them through the Office of Economic Adjustment (OEA). This version of the bill is expected to be approved by the full House Appropriations Committee and will be considered by the full House. The Senate will pass its own version of FY11 DOD Appropriations, and then the bills passed by the House and Senate must be reconciled in Conference. There is no way of predicting whether the Van Hollen language will survive this process but our Congressional delegation as well as the delegation representing Fort Belvoir (Representatives Van Hollen and Moran, and Senators Mikulski, Cardin, Webb and Warner) are working hard to preserve it.
 - 8-19-10 Interview with Congressman Van Hollen:
<http://www.tbd.com/blogs/tbd-neighborhoods/2010/08/van-hollen-speaks-on-brac-566.html>

- Normally, this entire process should be completed by the end of the current fiscal year, October 31. Unfortunately, neither House will meet this deadline. It is unknown when they will finish the FY2011 DOD Appropriations bill but speculation ranges anywhere from November to next February or beyond. So, a Continuing Resolution must be approved before October 1 to maintain DOD funding until an FY2011 funding bill is approved. Efforts are underway to include the Van Hollen amendment in the CR. We should have news on that within the next ten days.
- Responding to concerns that the appropriation may not be approved, it was noted that the FY2011 DOD Appropriations bill will include a separate \$20 million under the Defense Access Road program for the MD 355 Crossing Project. Andy Scott noted that SHA would proceed with the “Tiers and Phases” plan devised last fall for initial phases of the Intersections Improvement project. This plan provides direction on how to use the \$30 million available under the MDOT budget.
 - Tiers and Phases as of November 2009:
<http://www.montgomerycountymd.gov/content/exec/brac/pdf/intersctions-tiersphases-summary-111709.pdf>
- **ROLE OF OFFICE OF ECONOMIC ADJUSTMENT under Van Hollen Amendment:** Questions were raised at last month’s BIC meeting about the process the Office of Economic Adjustment might use to disburse the appropriated funds, assuming of course that the Van Hollen amendment becomes law. The main concern is whether the funding for BRAC-related transportation projects could be expedited in order to ensure that mitigations for BRAC-related traffic can proceed as quickly as possible. County Executive Leggett wrote OEA on August 30 to discern what process might be used. EA responded on September 17, stating these questions cannot be answered until Congress approves legislation that provides guidance to OEA.
 - 8-30-10 Letter from County Executive Leggett to OEA:
http://www.montgomerycountymd.gov/content/exec/brac/pdf/fy11dod_funding-leggetttooea-083010.pdf
 - 9-17-10 Response from OEA:
http://www.montgomerycountymd.gov/content/exec/brac/pdf/fy11dod_funding-oea_repytoleggett-091710.pdf

- **Phil provided a follow-up to last month's discussion about the future organization of the BRAC Implementation Committee (BIC).**
 - Following the August BIC meeting, Phil met with Marc Hansen, the County Attorney, and Tom Street, the County's Assistant Chief Administrative Officer (ACAO) who oversees transportation and BRAC issues, to discuss the future organization of the BRAC Implementation Committee. At issue was whether the Committee is required to dissolve by September 2011 under the terms of the original Executive Order.
 - February 2007 Executive Order:
<http://www.montgomerycountymd.gov/mcgtmpl.asp?url=/content/EXEC/Register/June07ExecOrders.asp>
 - The County Attorney pointed to two key points of the Order:
 - “OEA recommends that the affected local governments establish a single community task force to identify community impacts from the [BRAC] expansion, as well as coordinate initial assessments of important BRAC-related community issues. For this reason, the BRAC Implementation Committee was established on February 23, 2007.”
 - “The Implementation Committee is expected to complete its work no later than September 15, 2011, which is the date by which the BRAC implementation is mandated to be complete.”
 - In short, it was the Attorney's opinion that if the BIC had completed its initial assessment of BRAC impacts and mitigations by September 2011, then its mission was complete and the BIC must dissolve. Phil observed that two of three proposed BRAC construction projects have completed initial designs phases – the SHA intersections Improvements and the County's Bike/Pedestrian Paths projects – but that alternatives for MCDOT's MD 355 Crossing Project are still being developed. The lack of clarity at this time about federal funding make it difficult for state and county transportation authorities to proceed, but the funding issues should be resolved positively or negatively well before September 2011..
 - Phil emphasized that the consensus among the community stakeholders on the BIC is that the BIC must remain in place to review the Crossing Project plans and to monitor ongoing construction of BRAC projects and implementation of NNMC's Transportation Demand Management measures.
 - The ACAO determined that no decision needs to be made at this time on the BIC's future, but that these options should be considered for a future decision:

- The Executive Order can be extended for a short period if a federal appropriation is secured but there is no initial design in place for the MD 355 Crossing Project by September 2011; or
 - If the core mission of the Executive Order has been completed by September 2011, then the BIC could be absorbed by the Western Montgomery Citizens Advisory Board (WMCAB) as a special subcommittee or in whatever form WMCAB sees fit. The ACAO said this solution was appropriate because monitoring construction projects is a normal function of CAB's. Participation on the re-formed BIC would be voluntary (as it is now) and it is anticipated that there may be attrition among its current members.
- **Larry Cole reported on actions taken by the Montgomery County Planning Board (Park & Planning Commission) on September 16. Details from the Planning Board on all BRAC transportation projects can be found here:**
<http://www.montgomeryplanning.org/transportation/brac/index.shtm>
 - **CHEVY CHASE VALLEY MITIGATIONS:** At a previous Mandatory Referral hearing, the Planning Board refused to give non-binding approval to SHA plans to improve the intersection at Connecticut Avenue (MD 185) and Jones Bridge Road until its concerns about the impacts of the SHA plan on the Chevy Chase Valley neighborhood were adequately addressed. In the interim, the Montgomery County Dept. of Transportation (MCDOT) completed its Traffic Access Study for the neighborhood which studied several mitigation alternatives. MCDOT and SHA have agreed that the best way to provide safe access to the neighborhood is to install a short-term, temporary traffic signal on Jones Bridge Road at Spring Valley Road until a Montrose Driveway extension to the existing signal on Jones Bridge Road at Platt Ridge Drive could be constructed. However, this extension would require the approval of the Planning Board because it would run through parkland at the edge of North Chevy Chase Park. Normally, the Planning Board would not approve the use of parkland for roads, but in this instance the Board did not object to the proposal (nor did it explicitly approve) and instructed its staff to work with MCDOT and SHA staff to resolve any issues that would prevent the implementation of the most appropriate mitigation for Chevy Chase Valley. Ken Strickland noted that the CCV residents would meet in early October, and he anticipated that the community would reach its own consensus by then. Andy Scott also noted that issues remain unresolved for proposed Phase 3 work at the intersection relating to forest conservation easements at Howard Hughes Medical Institute.
 - Planning Board project background:
<http://www.montgomeryplanning.org/transportation/brac/index.shtm>

- 8-17-10 MCDOT Chevy Chase Valley Traffic Access Study:
<http://www.montgomerycountymd.gov/content/exec/brac/pdf/mcdot-chevyCHASEvalleytrafficACCESSstudy-081710.pdf>
 - 9-13-10 BIC Letter to County Executive Ike Leggett and Planning Board Chair Francoise Carrier:
<http://www.montgomerycountymd.gov/content/exec/brac/pdf/bic-chevyCHASEvalley-lettocarrierleggett-091310.pdf>
 - 9-16-10 Response to BIC from County Executive Leggett:
<http://www.montgomerycountymd.gov/content/exec/brac/pdf/bic-chevyCHASEvalley-leggettresponse-091610.pdf>
- **BRIEFING ON THE ROCKVILLE PIKE / MD 355 CROSSING PROJECT:** The Board was given a brief update on the project at the Medical Center Metro station, and has scheduled a Roundtable with MCDOT for Thursday, October 14 to discuss it in detail.
- MCDOT web site on the MD 355 Crossing Project:
<http://www.montgomerycountymd.gov/brcmpl.asp?url=/Content/EXEC/BRAC/nepa-pedaccess.asp>
 - Park & Planning agenda for October 14th will be posted here:
<http://www.montgomeryplanning.org/transportation/brac/index.shtm>
- **WEST CEDAR LANE SHARED USE PATH Mandatory Referral Hearing:** The Planning Board approved MCDOT's plans but proposed minor modifications for this shared use path along the north side of West Cedar Lane between Old Georgetown Road and Rockville Pike. This is part of the County's BRAC-related Bike/Pedestrian Paths project. BIC discussions on this path covered a wide range of subjects, including whether the path could run on the roadway rather than on a north-side path or if a path could run along the south side of West Cedar Lane. This brought up a number of issues, such as the impact on adjacent neighborhoods of the potential loss of parking on either the north or south side of West Cedar Lane. NIH raised a number of logistical issues pertaining to the feasibility of running a path along the south side of West Cedar Lane, such as location of utility poles, underground utilities, and problematic grading of land along West Cedar Lane. Pedestrian and cyclist safety and extending the Bethesda Trolley Trail further south were discussed.
- Planning Board project background:
<http://www.montgomeryplanning.org/transportation/brac/index.shtm>

- **NAVY UPDATES:** Captain Malanoski said that officials from Naval Support Activity Bethesda and NIH have engaged in very initial discussions about how the two institutions might work together on common issues, such as the movement of people and cars in and out of their campuses. He hopes these conversations will continue and be fruitful. Jeff Miller said that construction along the North Gate on Rockville Pike will begin in earnest but he doesn't anticipate significant disruption to the neighborhood.
- **MDOT UPDATES:** Andy Scott noted that the Maryland Transportation Administration has been holding hearings on the use of the Inter County Connector for commuter bus routes, and that a final determination will be made on routes between Columbia and the Medical Center in Bethesda: http://mta.maryland.gov/NEW_Bus_Service.cfm
- **John Carman solicited comments from the public:** Richard Hoyer lauded SHA traffic calming and pedestrian and bike safety improvements along Old Georgetown Road between Alta Vista Road and the Bethesda CBD. Seth Maiman reported that MCDOT has made improvements to several bus stops in the Maplewood community, including wider sidewalks and concrete platforms.
- **The meeting was adjourned at 8:35 p.m. The next Committee meeting is scheduled for Tuesday, October 19, 2010, 7:30 p.m., at the BCC Regional Services Center.**

Committee members in attendance, September 21, 2010:

Phil Alperson, County BRAC Coordinator
 John Carman, BRAC Implementation Committee Chairman
 Larry Cole, Maryland-National Capital Park & Planning Commission
 Leslie Weber for Brian Gragnolati, Suburban Hospital
 Ilaya Hopkins, East Bethesda Citizens Association
 Ginanne Italiano, Greater Bethesda-Chevy Chase Chamber of Commerce
 Janet Maalouf, Maplewood Citizens Association
 Seth Maiman, Western Montgomery Citizens Advisory Board
 Patrick O'Neill, Greater Bethesda-Chevy Chase Chamber of Commerce
 Andy Scott, Maryland Dept. of Transportation (MDOT)
 Susan Hinton for Dan Wheeland, NIH

Ex-officio:

Joan Kleinman (Rep. Chris Van Hollen)
 Captain Mike Malanoski, Naval Support Activity-Bethesda
 Jeff Miller, NSA Bethesda

Other Attendees)

Nancy Abeles, Bethesda Crest
 Erin Donaghue, Patch.com

Sarah Gantz, Gazette Newspapers
Richard Hoye, Action Committee for Transit
Greg Humes, Chevy Chase Valley Citizens Association
Amy Lee
Marilyn Mazuzan, Town of Oakmont
Jeanette Musil, DOD Office of Economic Adjustment
Natalie Neumann, Patch.com
Martha O'Connor
Lauri Spiliotes for Avice Meehan, Howard Hughes Medical Institute
Tom Robertson, Bethesda Urban Partnership
Debbie Spielberg, Council Member Marc Elrich
Ken Strickland, Chevy Chase Valley Citizens Association